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CIRRUS LOGIC, INC.

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Attorney for Plaintiff Gregory Bender

E-Filed 11/23/09

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

Gregory Bender,

Plaintiff,

v.

Cirrus Logic, Inc.,

Defendant.

Case No. C 09-01251 RMW (RS)

**STIPULATION AND ~~PROPOSED~~
ORDER REGARDING AMENDED
INFRINGEMENT CONTENTIONS**

DISCOVERY MATTER

Plaintiff Gregory Bender ("Plaintiff") and Defendant Cirrus Logic, Inc., ("Defendant"), through their respective counsel, hereby make the following stipulation with regards to Plaintiff's infringement contentions.

WHEREAS on October 9, 2009, Plaintiff served his infringement contentions on Defendant.

WHEREAS, on November 4, 2009, Defendant filed a motion to compel more detailed infringement contentions from Plaintiff (D.I. 21). Said motion is still in the briefing phase.

WHEREAS, the Court has granted Defendant temporarily relief from its discovery obligations pending resolution of this issue in its order dated November 10, 2009 (D.I. 31).

WHEREAS, Plaintiff has agreed to amend his contentions in response to concerns raised by Defendant in its motion, and

1 WHEREAS, Defendant has agreed to withdraw its motion to compel, without prejudice,
2 pending receipt of the forthcoming amended contentions.

3 THE PARTIES HEREBY STIPULATE THAT:

4 Plaintiff shall serve amended infringement contentions on or before **January 15, 2010**.

5 Defendant shall withdraw its motion to compel amended infringement contentions,
6 without prejudice to re-filing once it receives the amended contentions.

7 Defendant's obligations under Patent L.R. 3-3 and 3-4 shall be due 45 days from receipt
8 of Plaintiff's amended contentions unless Defendant renews its motion to compel within 14 days
9 of receiving Plaintiff's amended infringement contentions.

10 The Court's previous order granting Defendant temporary relief from its discovery
11 obligations (D.I. 31) shall remain in place until the dispute is resolved.

12 Respectfully submitted,

13 Dated: November 23, 2009

Jones Day

14 By: /s/ Gregory Lippetz

15 Greg L. Lippetz

16 State Bar No. 154228

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19 Counsel for Defendant Cirrus Logic, Inc.

1 In accordance with General Order No. 45, Section X(B), the above signatory attests that
2 concurrence in the filing of this document has been obtained from the signatory below.

3
4 Dated: November 23, 2009

By: /s/ David Kuhn
David N. Kuhn
Attorney-at-Law
144 Hagar Avenue
Piedmont, California 94611
Telephone: (510) 653-4983

7 Counsel for Plaintiff Gregory Bender

8
9
10 **PURSUANT TO STIPULATION, IT IS SO ORDERED:**

11
12 DATED: November 23, 2009

By: 
Richard Seeborg
United States Magistrate Judge

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